

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MASSACHUSETTS
BOSTON DIVISION

RANDY L. HANCOCK,
Plaintiff

V.

PRINCETON PROPERTIES MANAGEMENT,
INC., d/b/a PRINCETON PROPERTIES
APARTMENTS, CHRISTIAN H.
GARGUREVICH, and ROLAND FONG d/b/a
R&R LAWN MAINTENANCE
AND LANDSCAPING,
Defendants

C.A. NO.: 04-10781NMG

PLAINTIFF'S MOTION FOR EXTENSION OF TIME FOR PLAINTIFF
TO APPEAR FOR MEDICAL EXAMINATION

NOW comes the Plaintiff, by and through the undersigned counsel, and hereby moves this Honorable Court for a short extension of time to appear for a medical examination. A grounds for this motion, the Plaintiff submits as follows:

1. This is an action for personal injuries sustained on February 8, 2004 when the Plaintiff slipped and fell on a dangerous and unnatural accumulation of ice.
2. On June 8, 2005, this Honorable Court issued an order that the Plaintiff undergo a medical examination within thirty (30) days.
3. The Defendant, Roland Fong, though his counsel, by a letter dated June 15, 2005 (and not received by Plaintiff's counsel until shortly thereafter) scheduled a medical examination on June 27, 2005 at 3:00pm.
4. The Plaintiff has not worked since the date of the incident, receives public assistance, and is of very limited means.
5. The Plaintiff presently resides in Frankfort, Illinois.
6. The Plaintiff and his counsel have had considerable difficulty arranging reasonable transportation and accommodations on such short notice. The Plaintiff will have no place to sleep if required to travel to Massachusetts to attend the medical

examination scheduled for June 27, 2005. After July 1, 2005 he will be able to stay with relatives.

7. Dr. Pennell apparently is unable to reschedule the examination by July 8, 2005 – within the 30 days ordered by the Court.

8. The Plaintiff is able to arrive in Massachusetts by July 1, 2005, he shall remain in Massachusetts for the next several weeks, and shall be available for a medical examination with Dr. Pennell at any time in the following four weeks.

9. The parties are not required to make their expert disclosures until August 30, 2005, and thus the Defendant will in no way be prejudiced by extending the time to conduct the medical examination.

10. Plaintiff's counsel has communicated both by phone and e-mail regarding this issue with the Defendant, Fong's, counsel. Defense counsel indicates that he does not wish to be difficult, but simply wishes to make sure that he is in compliance with the Court's order.

11. Plaintiff's counsel has e-mailed the Defendant, Fong's, counsel, and called him to determine if he specifically assents. Plaintiff's counsel is informed he is on trial and has not received a response. Plaintiff's counsel also e-mailed counsel for the Defendant, Princeton Properties Management, Inc., and she responded that she has no objection to this motion.

WHEREFORE, the Plaintiff respectfully requests that this Honorable Court issue an order extending the time in which to undergo the medical examination with Dr. Pennell up to and including July 31, 2005.

The Plaintiff,
By his Attorney,

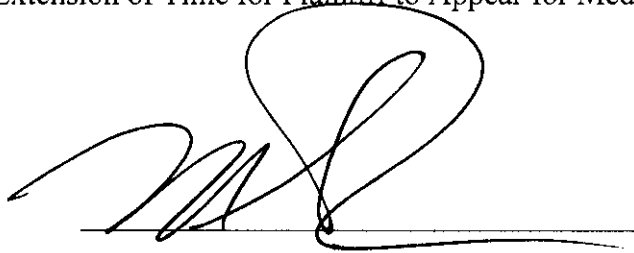


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CERTIFICATE OF SERVICE

I, Mark S. Shuman, do hereby certify that on this 24th day of June, 2005, I delivered by United States regular mail, postage prepaid, a copy of the following to all attorneys of record:

-Plaintiff's Motion for Extension of Time for Plaintiff to Appear for Medical Examination

A handwritten signature in black ink, appearing to be 'MS', is written over a horizontal line. The signature is stylized with a large loop at the end.